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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

16 UNITED STATES OF AMERICA,) NO. MJ 20-71329
17 Plaintiff,)
18 v.) STIPULATION TO CONTINUE PRELIMINARY
19 WEIZEN FRIAS,) HEARING AND EXCLUDE TIME FROM
20 Defendant.) SEPTEMBER 28, 2020, TO NOVEMBER 18, 2020,
21) AND ~~[PROPOSED]~~ ORDER
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19 It is hereby stipulated by and between counsel for the United States and counsel for the
20 defendant, WEIZEN FRIAS, that the Preliminary Hearing and Arraignment scheduled for October 19,
21 2020, be continued to November 18, 2020, and that time be excluded under Federal Rule of Criminal
22 Procedure 5.1 and the Speedy Trial Act from September 28, 2020, through November 18, 2020.

23 At the Initial Appearance held on September 28, 2020, the government and counsel for the
24 defendant agreed that time be excluded under Federal Rule of Criminal Procedure 5.1 and the Speedy
25 Trial Act so that defense counsel could continue to prepare, including by reviewing discovery produced
26 by the government. For this reason and as further stated on the record at the Initial Appearance, the
27 parties stipulate and agree that excluding time until November 18, 2020, will allow for the effective
28 preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that
STIPULATION AND ~~[PROPOSED]~~ ORDER

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1 the ends of justice served by excluding the time from September 28, 2020, through November 18, 2020,
2 from computation under Federal Rule of Criminal Procedure 5.1 and the Speedy Trial Act outweigh the
3 best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

4 The undersigned Assistant United States Attorney certifies that he has obtained approval from
5 counsel for the defendant to file this stipulation and proposed order.

6 IT IS SO STIPULATED.

7 DATED: October 14, 2020

/s/
DAN M. KARMEL
Assistant United States Attorney

9 DATED: October 14, 2020

/s/
DANIEL PAUL BLANK
Counsel for Defendant WEIZEN FRIAS

12 **[PROPOSED] ORDER**

13 Based upon the facts set forth in the stipulation of the parties and the representations made to the
14 Court on September 28, 2020, and for good cause shown, the Court finds that failing to exclude the time
15 from September 28, 2020, through November 18, 2020, would unreasonably deny defense counsel and
16 the defendant the reasonable time necessary for effective preparation, taking into account the exercise of
17 due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by
18 excluding the time from September 28, 2020, through November 18, 2020, from computation under
19 Federal Rule of Criminal Procedure 5.1 and the Speedy Trial Act outweigh the best interests of the
20 public and the defendant in a speedy trial. Therefore, and with the consent of the parties, IT IS
21 HEREBY ORDERED that the Preliminary Hearing and Arraignment currently scheduled for October
22 19, 2020, is continued to November 18, 2020, and that the time from September 28, 2020, through
23 November 18, 2020, shall be excluded from computation under Federal Rule of Criminal Procedure 5.1
24 and the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

25 IT IS SO ORDERED.

26
27 DATED: October 14, 2020


HON. LAUREL BEELER
United States Magistrate Judge